



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF)
Francisco O'Meany)
Serial No. 09/927,104)
Filed: August 10, 2001)
For: Methods and Apparatus for)
Wireless Control of Remote Devices)

) Examiner: Eric Chang

) Art Unit: 2116

) Date: January 4, 2006

**CORRECTED DECLARATION OF
H. MICHAEL BRUCKER
37 C.F.R. 1.131**

Commissioner for Patents
Alexandria, VA 22313-1450

1. I am the attorney of record in the above-referenced application.
2. On July 10, 2000, I met in my office with Francisco O'Meany, Josh Cooperman, John Wayman and Alex Zujovich and discussed Mr. O'Meany's invention of a wireless power control system.
3. A prototype of one embodiment of the invention was demonstrated to me. That prototype was able to turn power to a device on and off in response to a wireless signal. I was informed that this embodiment included an intelligent agent which they referred to as the "Perfect Advisor I." I was informed that an embodiment including a more sophisticated intelligent agent that they called "Perfect Advisor II" was being built and was the subject matter for which patent protection was sought.

4. Documents relating to the embodiment of the invention including the Perfect Advisor II were furnished to me at the July 10, 2000 meeting to assist me in understanding the invention. These documents, which are attached as Exhibit A, included the minutes of a June 2, 2000 meeting of the inventor and his associates which had attached thereto a three-page description of "The Perfect Advisor" and a schematic drawing dated "6/4/00."

5. With reference to those documents, the inventor and his associate described to me the invention described and claimed in the above-referenced pending patent application. In particular, on July 10, 2000, with reference to the schematic of Exhibit A and other materials, it was explained to me that software command signals could be sent wirelessly either tower-to-tower or via satellite to the intelligent agent labeled "Perfect Advisor II Main Unit." The Perfect Advisor II Main Unit responds to the incoming signal by sending a signal to an appliance such as a PC instructing it to run its shut-down routine. Once the shut-down routine is completed, the Perfect Advisor II Main Unit is so informed and it then sends a signal to a Power Control Unit to shut the power down to the PC.

6. During the period between the meeting on July 10, 2000 and the filing of a provisional patent application on August 10, 2000, I conducted a prior art search and received additional written materials from the inventor relating to the invention. These additional materials are attached as Exhibit B and included:

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(a) A one-page document entitled "The Perfect Advisor" dated "7/8/00."

(The handwritten edits were on the document when presented to me on or about July 11, 2000.);

(b) A drawing that was faxed on July 9, 2000 illustrating the invention described and claimed in the above-referenced patent application. (The legend "Figure 1" and the numeral designations were added by me some time after July 9, 2000 in the course of preparing the provisional patent application.);

(c) The first three pages of a business plan dated June 16, 2000. (This document was received prior to July 13, 2000.)

7. I declare under penalty of perjury that all statements made of the my own knowledge are true and that all statements made on information and belief are believed to be true and that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Dated: January 4, 2006



H. Michael Brucker



Flow Diagram

